



Entered on Docket
October 07, 2011

A handwritten signature in black ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Second Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Castaic Partners II Loan**

Hearing Date: September 30, 2011
Hearing Time: 9:30 a.m.

The Court having considered the "Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Castaic Partners II Loan." ("Castaic Partners II Loan") [DE 8841] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right

1 to repayment by the borrower or from the collateral securing the Castaic Partners II Loan;
2 and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8841] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Castaic Partners II Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACM Trust**Castaic Partners II Loan****Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Castiac Partners II, LLC Loan
10725-01619	12/8/2006	Addes, Kenneth	100 W Broadway Apt 7V Long Beach, NY 11561	394,523.01	50,000.00
10725-02236	1/12/2007	Addy, Ronald M & Priscilla K	21675 Obsidian Ave. Bend, OR 97702	Unknown	Unknown
10725-01437	11/14/2006	Clawiter Associates LLC	1620 Colchester St Danville, CA 94506	225,000.00	50,000.00
10725-02038	1/11/2007	Collins Family Trust Dated 1/29/93	C/O Shirley M Collins Trustee 1975 Snowberry Ct Carlsbad, CA 92009-8408	1,760,380.48	100,000.00
10725-02364	1/16/2007	Eric C Disbrow Md Inc Profit Sharing Plan	Eric C Disbrow Teee 3840 Fairway Dr Cameron Park, CA 95682	895,134.00	50,000.00
10725-02117	1/11/2007	Janet P Johnson Living Trust Dated 7/14/04	Janet P & Charles E Johnson Ttees 17 Front St Palm Coast, FL 32137	936,603.82	100,000.00
10725-02327	1/13/2007	John L Wade Trust Dtd 5/8/01	C/O John L Wade Trustee 881 Lake Country Dr Incline Village, NV 89451-9042	1,500,000.00	200,000.00
10725-00893	10/31/2006	Joyce E Smith Trust Dated 11/3/99	C/O Joyce E Smith Trustee 3080 Red Springs Dr Las Vegas, NV 89135-1548	853,678.82	105,750.50
10725-01997	1/10/2007	KM Trust	C/O Aimee E Kearns Trustee 5886 N Bonita Vista St Las Vegas, NV 89149-3911	1,535,080.92	103,000.00
10725-01035	11/6/2006	Loughlin Family Trust	C/O Richard J. & Roberta L. Loughlin PMB 107 3212 Jefferson St. Napa, CA 94558-3436	1,116,400.00	300,000.00

EXHIBIT A

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